

MARYLAND HIGHER EDUCATION COMMISSION

EDUCATION POLICY COMMITTEE

MEETING AGENDA

Time: 10:00 A.M.

Date: Wednesday, March 12, 2003

Place: MARYLAND HIGHER
EDUCATION COMMISSION
Commission Meeting Room
839 Bestgate Road, Suite 400
Annapolis, Maryland 21401

MARYLAND HIGHER EDUCATION COMMISSION

John J. Oliver, Jr., Chairman

Joann A. Boughman

Dorothy Dixon Chaney

Edward O. Clarke, Jr.

Anne Osborn Emery

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Mario VillaSanta

Karen R. Johnson, J.D.
Secretary of Higher Education

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EDUCATION POLICY COMMITTEE
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Call to Order		
Approval of October 9, 2002 Minutes	1	*
Revision of Certification Standards and Procedures for Emergency Services Instructors.....	5	*
Proposed Regulation Defining "Operating in Maryland" (Physical Presence) for Out-of-State Institutions	33	*
No Child Left Behind (NCLB) - High Quality Teachers and Paraprofessionals	39	
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MINUTES

EDUCATION POLICY COMMITTEE MARYLAND HIGHER EDUCATION COMMISSION Annapolis, Maryland

October 9, 2002

Members Present

Anne Osborn Emery
Dorothy Dixon Chaney
Edward O. Clarke, Jr. (via telephone)

Staff Present

Karen R. Johnson	Anne Budowski	Linda West
John A. Sabatini, Jr.	Janice B. Doyle	Laura Filipp
Michael J. Kiphart	Michael Keller	David Sumler
Dominique Raymond	Pace J. McConkie	Judy Hendrickson
		Rose Potter

CALL TO ORDER

Commissioner Emery called the meeting to order at 10:10 a.m.

APPROVAL OF MINUTES

The minutes from the August 7, 2002 meeting were approved.

Low-Productivity Degree Program Report 2002

Dr. Michael Kiphart introduced the Low-Productivity Degree Program Report 2002 and indicated that it was the third report using the new criteria and procedures established in 1999. The Report provides a list of academic degree programs that have been identified as low producing based on a single criterion of degree production. Institutions reported back to the Commission with recommendations that identified programs be discontinued, exempted (using one of the categories), or maintained in order to improve, modify, or provide additional resources to a program for future success.

Last year, the Report 2001 identified 39 programs, 20 at public community colleges and 19 at public four-year colleges and universities. In the Report 2002, 34 programs were identified, 19 at public community colleges and 15 at public four-year colleges and universities.

Of the 19 programs identified this year for the community colleges, the institutions requested that 6 be discontinued; 7 were recommended for exemption; and 6 were

maintained and enhanced. The four-year institutions recommended 6 programs for exemption, 3 were to be maintained and enhanced or changed to improve enrollment, and 6 education programs at the University of Maryland Eastern Shore were listed on page 21 of the report as “Awaiting MHEC Decision Regarding Program Restructuring.”

The University of Maryland Eastern Shore and the Commission have agreed to discontinue these 6 education programs that have been identified over the past few years. In the future, these secondary education areas will be identified as concentrations within the academic disciplines rather than continuing as individual degree programs.

Following a brief discussion on the Commission’s responsibility regarding program discontinuances in light of the current economic situation in Maryland, Commissioners Emery and Clarke asked Commission staff to return to the Education Policy Committee within six months with a report on discontinued, exempted, and maintained academic programs. The report should focus on the procedure for determining low-productivity programs and the manner in which this is executed. The report should also include information on other programs that are discontinued and have not been identified on the low-productivity program list. Commission staff should also meet with the public segments of higher education to review the current identification criteria and recommend changes if appropriate.

A motion was made by Commissioner Chaney, seconded by Commissioner Clarke, for the Education Policy Committee to recommend to the Maryland Higher Education Commission approval of the program discontinuances, program exemptions, and program extensions presented in the Low-Productivity Degree Program Report 2002. The motion was unanimously approved and carried.

Technical Revisions of Regulations on Distance Education

Dr. David Sumler presented staff recommendations for technical revisions to the *Minimum Requirements for Out-of-State Institutions*. He explained that, during the adoption of regulations concerning the approval process for institutions offering programs by distance education in the mid-1990s, differing definitions of “direct instruction” and of “distance education” were adopted for in-state institutions and out-of-state institutions. These proposed revisions attempt to make out-of-state regulations compatible with the regulations for in-state institutions.

Furthermore, the wording of the regulations for out-of-state institutions is clarified to emphasize that the regulations do not apply to out-of-state institutions delivering online over the Internet to the home and workplace and not having a “physical presence” in Maryland.

Dr. Sumler noted that the concept of physical presence was essential to the administration of the minimum requirements for out-of-state institutions. Assistant Attorney General Pace McConkie explained to the Committee that this was an administrative practice only and that the concept of “physical presence” was not established in law or regulation.

Commissioner Emery requested that the staff determine the practice in other states concerning physical presence and make appropriate recommendations to the Commission in the future if any regulatory action is needed.

A motion was made and seconded to accept the staff recommendation. The motion was unanimously approved and carried.

Revisions to Regulations, Policies and Procedures for Private Career Schools

Ms. Judy Hendrickson discussed proposed revisions to the regulations, policies and procedures for private career schools. These changes are designed to strengthen financial protections provided to students in the event of precipitous school closures and limit the tuition liability. Ms. Hendrickson stated that these proposed changes were sent to all private career schools for their review and comments. The Maryland Association of Private Career Schools (MAPCS) submitted a letter of support for the proposed changes. In addition, the Secretary's Advisory Council for the Guaranty Student Tuition Fund endorsed the changes.

The proposed modifications are: (1) to prohibit a private career school from enrolling and collecting tuition and fees from students for multiple programs; (2) to increase from 2 years to 5 years the period a new school must maintain a financial guarantee; and (3) to require new schools that collect full tuition up-front to increase the amount of their financial guarantees to cover 100% of the tuition liability of their students.

Ms. Hendrickson also described a proposed change regarding unapproved training providers. Since there is an enormous unmet need for skilled IT workers, the Commission previously adopted, for a limited time, a policy to allow unapproved providers of computer training to operate provided that they took certain actions. They were required to submit a complete application for approval and protect the tuition of their students by providing a financial guarantee and a \$1,000 payment to the Guaranty Student Tuition Fund. With 31 computer schools approved, it is recommended that the Commission once again strictly enforce the requirement that unapproved providers of computer training cease and desist operation until they are approved.

A representative from a private career school asked to address the Commission. Mr. Rau, President, ComputerTraining.com, supported all but one of the proposed changes. He spoke in opposition to the proposal to increase from 2 to 5 years the period all new schools must maintain a financial guarantee. After some discussion, Assistant Attorney General Maureen Walsh David noted that the language of the regulations and policies provides the Secretary discretion in imposing the requirement of a financial guarantee, and also that the Secretary has the discretion to determine whether a particular new school would be waived this financial requirement.

Commissioner Clarke moved that the Education Policy Committee recommend to the Maryland Higher Education Commission approval of the proposed amendments to the

regulations, policies, and procedures for private career schools. He also suggested that Commission staff meet with Mr. Rau prior to the November 13, 2002 Commission meeting. Commissioner Clarke clarified that he is not suggesting that this school necessarily be exempted from the requirement of a financial guarantee for 5 years; the Secretary should determine whether it is appropriate to require this school to continue to maintain a financial guarantee. Commissioner Chaney seconded the motion and it was approved unanimously.

Adjournment

Commissioner Emery called for a motion to adjourn; it was seconded and approved. The meeting adjourned at 11:30 a.m.



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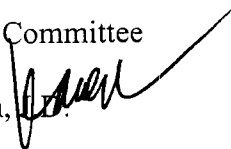
John J. Oliver, Jr.
Chairman

Karen R. Johnson
Secretary of Higher Education

MEMORANDUM

DATE: March 12, 2003

TO: Education Policy Committee

FROM: Karen R. Johnson,  STAFF: Dr. John A. Sabatini, Jr.
F. E. "Ted" Porter

SUBJECT: Revision of Certification Standards and Procedures for Emergency Services
Instructors

Background

The Maryland Fire-Rescue Education and Training Commission (MFRETC) is a division of the Maryland Higher Education Commission. The MFRETC's authority to coordinate emergency services education and training is contained in Title 11, Section 11-503 of the Education Article of the Annotated Code of Maryland. The attached standards were developed in cooperation with the University of Maryland, Fire and Rescue Institute, the Maryland Institute of Emergency Medical Services Systems and Maryland's county and municipal emergency services training academies. The former State Board for Higher Education first approved these standards on June 5, 1980. The current number of certified instructors is 501, of whom 196 are recognized Instructor Evaluators. Also, there are 25 certified Instructor Trainers. On December 12, 2002, the MFRETC approved the code revisions and recommended that the Education Policy Committee recommend to the Maryland Higher Education Commission approval of the revised regulations.

Current Status, Issues, and Timeline for Completion

In addition to a number of non-substantive and form changes, the primary substantive changes are as follow:

1. The proposed regulations will now recognize and complement the regulations by which Advanced Life Support (Paramedic) Instructors are certified.
2. The proposed regulations will now require that Instructor Trainers have earned a college degree and have successfully completed a number of courses covering educational methodology topics.
3. The proposed regulations will now require that an instructor teach at least 18 hours in a three-year period, down from 20 hours in a three-year period.
4. The proposed regulations will now establish a new quorum for the board, from all five of the certifying board's members to three.

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5. The proposed regulations will now clarify and update some of the administrative procedures under which the certifying board operates.
6. The proposed regulations will now eliminate a listing of specific knowledge and skill requirements and adopts by reference such requirements.

RECOMMENDATION: It is recommended that the Education Policy Committee recommend to the Maryland Higher Education Commission approval of the revised regulations.

STATEMENT OF COMPLIANCE

The Minimum Certification Standards for Level I Local Emergency Services Instructors, adopted by the Maryland Higher Education Commission, apply to individuals within any jurisdiction of the State of Maryland conducting emergency services training programs, which are localized in nature and are not considered to be "formal" training programs. The Level I standards are set forth as minimum standards. ~~Their voluntary adoption by local jurisdictions or organizations utilizing such programs is encouraged by the Maryland Fire-Rescue Education and Training Commission.~~ The Maryland Fire-Rescue Education and Training Commission encourages the voluntary adoption by local jurisdictions and organizations using such programs. For the purpose of these standards, personal enrichment programs such as Heartsaver CPR ~~is~~ are not considered to be "formal" training.

The Level II State Emergency Services Instructor Standards, Instructor Trainer Standards, and Operational guidelines for the Maryland Instructor Certification Review Board, as developed by the Maryland Fire-Rescue Education Commission (Code of Maryland Regulations 13.50.03; recodified to force of law, apply to all full-time or part-time instructors conducting formal training in Maryland which results in receipt of a certificate, diploma, degree, award, or insignia by an individual. The operational guidelines contained in the Code of Maryland Regulations shall apply to the Maryland Instructor Certification Review Board. Applications for certification will be available through the Maryland Instructor Certification Review Board, ~~6200 Pontiac Street, Berwyn Heights, Maryland 20740~~ c/o Maryland Fire and Rescue Institute, 4500 Paint Branch Parkway, University of Maryland, College Park, Maryland 20742.

Title 13B MARYLAND HIGHER EDUCATION COMMISSION

Subtitle 03 FIRE-RESCUE EDUCATION AND TRAINING COMMISSION

Chapter 01 Certification Standards and Procedures for Emergency Services Instructors

Authority: Education Article, 11-105 and 11-503, Annotated Code of Maryland

~~.01 Exceptions.~~

~~These standards and procedures do not apply to certification of cardiac rescue technician instructors, aviation trauma technician instructors, and emergency medical technician/paramedic instructors.~~

~~.02~~ .01 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Approval" means approval as statutorily applied to the Maryland Fire-Rescue Education and Training Commission (MFRETC) as an agency of the Maryland Higher Education Commission (MHEC), under Education Article, §11-105, Annotated Code of Maryland, before a postsecondary institution can award a certificate, diploma, or degree to an individual.

(2) "Certification" means to verify that an individual has met the requirements of these standards.

(3) "Emergency services" means fire, rescue, and ~~ambulance~~ emergency medical services, with ~~ambulance~~ emergency medical services also meaning "emergency care" as related to training.

(4) "Field evolutions" means a structured training exercise designed to complete a specific training objective.

(5) "Local jurisdiction" means any city, county, municipal, or State government, ~~recognized training organization, public fire-rescue or ambulance emergency medical services department, state approved public school, or postsecondary institution in the State providing emergency services training or education, and other institutions as approved by the MICRB.~~

(6) "Maryland Instructor Certification Review Board (MICRB)" means an independent five-member board created as a unit within the University System of Maryland ~~System~~ which is responsible for the administration of the Emergency Services Instructor Certification Program and the issuance of certificates under that program.

(7) "Sponsoring agency" means a local jurisdiction submitting a candidate for certification.

(8) "Supporting services" means nonteaching support rendered in the emergency services area, usually in an administrative or communication capacity in the career or volunteer service.

(9) "Training supervisor" means an individual who is a certified Level II instructor and who directly supervises Level II instructors.

.03 .02 Instructor Certification Standard Level II.

A. The objective of this certification system is to provide the emergency services of the State with a competent ~~full-time or part-time~~ instructor. When certified, the instructor shall provide instruction and training in one or more of the emergency services disciplines.

B. Advanced Life Support Program Coordinators and Medical Directors functioning under Title 30 MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS (MIEMSS) Subtitle 04 EMERGENCY MEDICAL SERVICES EDUCATION PROGRAMS AND COURSES shall ensure that individuals providing instruction as faculty have appropriate educational credentials in addition to subject matter expertise. In addition, MIEMSS shall ensure that educational program faculty qualifications are consistently applied statewide via the ALS Educational Program approval process.

~~B.~~ C. Instructor certification is granted by the Maryland Instructor Certification Review Board.

~~C.~~ D. The Level II standards apply to faculty employed by a public or private postsecondary institution, including degree-granting institutions teaching credit courses in emergency services programs whose students are to be qualified as emergency services personnel serving the public.

~~D.~~ E. Six Sequential Stages of Instructor Candidate System.

(1) Expression of Interest.

(a) This first stage identifies emergency service personnel who meet specific entry level criteria and indicate their interest in the program to a sponsoring agency as defined in Regulation .02B of this chapter.

(b) The candidate shall:

(i) Be 21 years old or older;

(ii) Have a high school diploma or general education diploma (GED) verified by the sponsoring agency;

(iii) Have 3 years experience in the emergency services;

(iv) Possess the ability to perform all tasks required for the teaching; and

(v) Complete an approved training program in the area of instruction.

(2) Selection Process. The MICRB recognizes the need for a candidate selection process. The sponsoring agency is encouraged to use the means it considers appropriate in assessing candidate eligibility. While the development and use of a screening mechanism is the responsibility of the sponsoring agency, it is suggested that the process provide a means of assessing the candidate's field knowledge, reading comprehension, verbal ability, mathematical ability, and mechanical aptitude.

(3) Instructor Training.

(a) The approved instructor training program consists of sequential instruction and is designed to impart knowledge and skills necessary for the candidate to perform duties as an instructor. The scope of the training shall include instructional methods, laws of learning, instructional aids, lesson planning, ~~communication~~ communication skills, and basic course designs. Evaluation ~~is~~ shall be accomplished by written examinations and instructor performance evaluations.

(b) The instructor training program shall fulfill the professional requirements and qualifications in Regulations .13 and .14 of this chapter, as taught by an instructor trainer approved by the MICRB. The course shall also include examinations at mid-course and at the end of the course, performance evaluations, and one term project to be completed before the end of the course. The MICRB may consider credentials of a degreed applicant verified by a sponsoring agency as having completed this requirement. Evidence of academic achievement in the field of education (adult education preferred) shall be submitted to the MICRB.

(4) Skills Development.

(a) When a candidate successfully completes instructor training, the sponsoring agency shall conduct a skills development program. A date, place, and time shall be planned and a program shall be coordinated.

(b) This program shall:

(i) Be at least 12 hours;

(ii) Be designed to unite practical instruction to specific field evolutions; and

(iii) Afford an opportunity to demonstrate performance instruction techniques.

(c) The instructional period shall be planned and supervised by certified instructors who may be primarily responsible for the particular discipline or specialty.

(d) The training is to be specialized.

(e) Performance evaluations are to be conducted and provided to the instructor candidate.

(5) Practice Teaching.

(a) The candidate, after successful completion of skills development, is required to practice teach a minimum of two 3-hour sessions, or classes, which include one ~~didactic~~ cognitive information session and one practical skill session, and shall receive a satisfactory evaluation for each class. The teaching shall be performed under the continuous direct supervision of a certified Level II instructor ~~designated as an evaluator~~. A certified Level II Instructor certified approved as an evaluator shall perform the evaluation of this teaching.

(b) Practice teaching provides the instructor candidate with an opportunity to teach, following instructor training, under actual conditions. This on-the-job instruction consists of two 3-hour segments as described in §D5(a) of this regulation and shall be evaluated by an approved MICRB evaluator pursuant to Regulation .09B of this chapter. To ensure that the practice instruction is of the highest possible quality and is meeting the lesson objectives, a three-step process shall be used for evaluation purposes which consist of observation, written evaluation, and a supervisory conference.

(6) Interim Student Teaching.

(a) Interim student teaching provides the instructor candidate an opportunity to teach a complete course of instruction with some supervision. During this stage, two evaluations shall be made by MICRB-approved evaluators or instructor trainers approved by the MICRB. The completed evaluations shall become part of the total certification requirements.

(b) The candidate shall teach a minimum of 60 clock hours and receive two consecutive satisfactory evaluations from two different MICRB-approved evaluators or instructor trainers approved by the MICRB. Each evaluator shall be from a local jurisdiction or sponsoring agency different from the other.

~~E.~~ F. Application for Certification.

(1) After the teaching assignment is completed, each candidate's file shall be reviewed by the sponsoring agency representative, who shall make appropriate recommendations based upon the evaluation of the completion of the six stages.

(2) To be considered for certification, the candidate shall submit an application for certification through the sponsoring agency to the MICRB on the form prescribed by the MICRB ~~through the sponsoring agency~~.

~~F.~~ G. Term of Certification.

(1) Level II instructor certificates are valid for a period of 3 years from the date of approval by the MICRB.

(2) The sponsoring agency or employer, or both, shall determine what subject matter the Level II instructor ~~may be~~ is qualified to teach.

~~G.~~ H. Recertification Process. The following process is to ensure that instructors continue to use up-to-date methods and information:

(1) Recertification shall be based on a 3-year cycle;

(2) The instructor shall teach a minimum of 60 hours during the 3-year period, or if a training supervisor, teach a minimum of 3 hours;

(3) The instructor or training supervisor shall receive a satisfactory teaching evaluation and no subsequent unsatisfactory evaluation from an approved MICRB evaluator during the 3-year period; and

(4) The instructor or training supervisor shall successfully complete 12 hours of professional development ~~in training or applicable~~ continuing education in instructional methods or training applications within the 3-year period.

~~H.~~ I. Procedure for Reentering after Failing to Recertify.

(1) The following procedures are required for an individual who fails to recertify and wishes to reenter the teaching program within 3 years of the expiration of the individual's certification:

(a) The candidate shall submit correspondence to the sponsoring agency asking to reenter;

(b) As a minimum, the candidate shall have successfully completed ~~12 hours of professional development training or applicable continuing education~~ all the requirements as listed in .03 G. within 3 years before the date of the application for reentry and shall receive a satisfactory teaching evaluation before the application may be submitted to the MICRB; and

(c) The sponsoring agency shall submit a recommendation with the application to reenter, and the MICRB shall review the information submitted by the sponsoring agency and take appropriate action.

(2) An individual who has a certification lapse in excess of 3 years is required to meet initial certification requirements.

.04 .03 Certification Standard Instructor Trainer.

~~A. Rationale. This standard has two tracks for instructor trainer candidates. To achieve the proper balance between formal education and experience, the candidate should be allowed mobility between field experience and formal education. The candidate shall document instructional experience and formal education.~~

~~B. Track I — Minimum Educational Requirements.~~

(1) To become certified as an emergency service instructor trainer in Maryland, an individual shall have completed a minimum of:

- (a) A baccalaureate or graduate degree in education or a related field from an accredited college or university
- (b) ~~The field experience as set out in §C of this regulation. A teaching internship~~
- (c) Four ~~Three~~ years field experience as an ~~trainer of instructors~~, which shall be documented as evidence of competence.

(2) Within the degree or in addition to the degree, courses that cover the following courses topics are required:

- ~~(a) Methods of Teaching, which includes introduction to the various methods of teaching a class with emphasis on experiences in the actual learning environment (3 credit hours);~~
- ~~(b) Classroom Management, which includes focus on the learning environment, administrative detail, and record keeping (3 credit hours);~~
- ~~(c) Instructional Media, which includes introduction to training aids, specifically development, selection, and use (3 credit hours);~~
- ~~(d) Speech, which includes oral communications principles with emphasis on application both in preparation and oral discourse (3 credit hours);~~
- ~~(e) Test/Measurements, which includes introduction to mathematics and formulation of grading both performance and written evaluations (2 credit hours);~~
- ~~(f) Course Design and Construction, which includes working knowledge of occupational and job analysis and application of the techniques in building and reorganizing courses of study (3 credit hours);~~
- ~~(g) Educational Psychology or Learning Theories, which includes identifying individual differences and theories of how people learn, communicate, and think, and why they do what they do (3 credit hours);~~
- ~~(h) Counseling and Guidance, which includes introduction to principles and procedures (3 credit hours);~~
- ~~(i) Training Administration, which includes principles and practices regarding courses and instructor administration (3 credit hours); and~~

~~(j) Principles of Testing and Evaluation: which includes basic principles, including the use of instructional objectives for the development and use of both written and performance tests and evaluation devices (2 credit hours).~~

(a) Methods of Teaching: using various teaching methodologies, such as demonstration, illustrated lecture, discussion, and discovery learning, and group activities.

(b) Classroom Management: organizing the learning environment (inside, or classroom, and outside, or drill ground); maintaining motivation, interest, and discipline; attending to administrative detail, such as record keeping and scheduling; demonstrating leadership skills.

(c) Instructional Media: developing, selecting, and using training aids (audio-visuals, handouts and other printed materials, and equipment) appropriately.

(d) Speech and Communication: choosing, using, and defining terminology correctly, speaking from notes and extemporaneously, assuring understanding of explanations

(e) Evaluation and Measurement: assigning scores and grades, using current technology to determine measures of central tendency and statistical results, interpreting results for revision of exam questions as needed.

(f) Course Design and Lesson Planning: performing needs assessments and task analyses; creating instructional objectives; creating lesson plans and teaching materials that enable student learning.

(g) Educational Psychology and Learning Theories: identifying learner characteristics and learning styles; adjusting instruction to meet the social, psychological, and physiological needs of adult learners.

(h) Counseling and Guidance: counseling students first through informal steps (discussion and suggestions for correcting the problem) and formal steps (explanation of corrective steps and penalties or results for failure to comply accompanied by written notification to the student, student's supervisor, and the class file).

(i) Research and Administration or Training Administration: planning course schedules, instructor assignments, and facility and equipment use, performing administrative tasks including managing and maintaining program schedules, instructor assignments, and records and reports, including course and student data, instructor support, and facility and equipment use.

(j) Instructor Management: performing instructor management tasks, such as identifying instructor (personnel) needs, recruiting, selecting, and training or orienting, and evaluating instructors.

(k) Design of Evaluation Tools or Principles of Testing and Evaluation: using various written and skill testing instruments based on learning performance objectives.

~~C. Track II — Minimum Field Experience Requirements for Experience-Based Instructor Trainer Candidates.~~

~~(1) A candidate shall have a total of 4 years field experience as a trainer of instructors, which shall be documented as evidence of competence.~~

~~(2) Experience.~~

~~(a) Experience shall be identified in all of the general field experience areas in §C(3) of this regulation through descriptive on-the-job resumes or evidence of credit hours earned in comparable postsecondary courses.~~

~~(b) Credit courses as listed in Track I may be substituted for experience, as appropriate.~~

~~(3) General Field Experience Area:~~

~~(a) Methods of Teaching. The candidate shall have drafted lesson plans and performed in each of the following methods of teaching, and demonstrated the proper selection and teaching techniques of each:~~

~~(i) Demonstration;~~

~~(ii) Illustration;~~

~~(iii) Lecture; and~~

~~(iv) Discussion.~~

~~(b) Instructional Management/Classroom. The candidate shall have organized the learning environment both in the classroom and on the drill ground, and maintained discipline by applying group dynamics and good leadership techniques.~~

~~(c) Instructional Media. The candidate shall have selected, properly used, and developed every type of instructional aid, both visual and audio or audio/visual, including hand-outs, workbooks, or other printed material.~~

~~(d) Speech or Communication. The candidate shall have chosen the proper terms and delivery procedure from notes or extemporaneously in an easily understood manner in order to communicate effectively with adult learners.~~

~~(e) Evaluation and Measurement (Grade Assignment). The candidate shall have experience in basic considerations in the assignment of marks and grades and an introduction to computer technology as applied to measurement and evaluation.~~

~~(f) Course Design and Lesson Planning. The candidate shall have performed job analysis, formulated instructional objectives, designed and devised instructional course documents, literature, and lesson plans, in order to provide maximum student learning.~~

~~(g) Student Learning/Educational Psychology. The candidate shall have identified the learning characteristics of adults and adjusted instruction for social, psychological, and physiological effects.~~

~~(h) Counseling and Guidance. The candidate shall have identified the need for counseling and been able to counsel students using the following techniques:~~

~~(i) Direct;~~

~~(ii) Nondirect; and~~

~~(iii) Eclectic.~~

~~(i) Records Administration. The candidate shall have planned schedules, administered the training program, and provided appropriate reports based on student and class data.~~

~~(j) Instructor Management. The candidate shall have identified goals, organization and manpower planning, recruitment, selection, development, and appraisal of instructors.~~

~~(k) Design of Evaluation Mechanism. The candidate shall have experienced an introduction to questioning techniques, both oral and written, with an emphasis on proper construction of test devices.~~

~~(l) Safety Management. The candidate shall understand the emphasis on the necessity for safe practices in teaching the emergency services.~~

~~.05~~ .04 Certification.

A. Certification Criteria. A certificate for an individual approved as an instructor trainer is valid for 3 years after the date of approval by the MICRB, if the candidate:

- (1) Meets the requirements as specified;
- (2) Has ~~any~~ evidence of academic achievement to meet these requirements documented by an official transcript from the college or university and has the institution send it sent to the MICRB;
- (3) Has at least two satisfactory evaluations by a certified instructor trainer or individual designated by the MICRB before the evaluation; and
- (4) Is recommended by the employing agency or agency having jurisdiction within the State.

B. Currency Requirements. To retain approval, an instructor trainer shall annually teach at least ~~20~~ 18 hours of instructor training in a three-year certification cycle and complete one of the following requirements:

~~(1) Be a training supervisor who has responsibility for supervising instructors for training programs and evaluating instructors;~~

~~(21)~~ Successfully complete a 3 credit-hour course in teacher education, or the equivalent of 3 credit hours of in-service professional development; ~~or~~ OR

~~(32)~~ Successfully complete a 12 hours of continuing education in the three-year certification period in an approved professional development seminar for instructors and complete at least two public speaking engagements; **AND**

~~(43)~~ Have at least one successful evaluation in the three-year certification period by an approved instructor trainer.

C. Reentry. An instructor trainer who does not meet currency requirements may reapply after satisfactory completion of §B(21) or (32) of this regulation and be recommended by the sponsoring agency. The MICRB shall review the entire file and may require the applicant to complete other certification requirements.

~~.06~~ .05 Maryland Instructor Certification Review Board.

A. The Maryland Higher Education Commission, through the Maryland Fire-Rescue Education and Training Commission, has established, under its authority, standards for certification of emergency services instructors.

B. The process for issuing certificates under these standards is the responsibility of a Maryland Instructor Certification Review Board (MICRB).

C. The MICRB is a unit within the University System of Maryland ~~System~~.

D. The MICRB consists of five members appointed, effective July 1, for a 2-year term by the Chancellor of the University System of Maryland ~~System~~ as follows:

(1) In even numbered years, one member recommended by the:

(a) Maryland Fire-Rescue Education and Training Commission, and

(b) Maryland Institute for Emergency Medical Services Systems;

(2) In odd numbered years, one member recommended by the:

(a) Maryland Council of Fire and Rescue Academies,

(b) Maryland Fire and Rescue Institute, and

(c) Maryland State Firemen's Association.

E. Members appointed to the MICRB shall serve until such time as a successor has been appointed.

F. The Chancellor of the University of Maryland System shall designate the chairman from among the appointees to the MICRB. The chairman shall serve at the pleasure of the Chancellor of the University System of Maryland ~~System~~.

G. Each constituent organization shall also recommend an alternate representative to be appointed by the Chancellor of the University System of Maryland ~~System~~ to serve in the absence of the regular member.

H. The MICRB, through the Chancellor of the University System of Maryland ~~System~~, shall report to the MFRETC and the MHEC at least annually on the status of the instructor certification system.

~~.07~~ .06 Maryland Instructor Certification Review Board Administration.

A. General administration of the MICRB is vested in the Chancellor of the University System of Maryland ~~System~~.

B. The MICRB shall act within the provisions of the Maryland instructor certification standards established for all Level II instructors, instructor evaluators and instructor trainer certification candidates.

C. Certificates shall bear the seal of the University System of Maryland ~~System~~ and be signed by the Chancellor, the chairman of the MICRB, and the chief officer of the agency or organization proposing the certification.

D. The MICRB shall approve all evaluators. Sponsoring agencies may submit candidates for consideration as evaluators.

E. ~~The term of an evaluator is set by the~~ The MICRB shall set the term of an evaluator.

F. The term of Level II certified instructors approved as evaluators shall be concurrent with their Level II certification.

G. The MICRB is the final authority in issuing, renewing, or revoking certificates.

.08 .07 Maryland Instructor Certification Review Board Meetings.

A. The MICRB shall meet at least four times during the calendar year.

B. ~~A quorum is constituted when all organizations are represented.~~ Representation from all three of the organizations shall constitute a quorum.

C. ~~In the absence of the chairman, another regular member shall act as chairman. This member shall be selected from a rank order of the other four members, with this order to rotate each year. The MICRB shall select the acting chair from a rank order of the other four members, and this order shall rotate each year.~~

D. ~~The MICRB shall prepare the minutes.~~ Minutes of all meetings shall be prepared.

E. The member representatives ~~are~~ shall be the five individuals designated by the recommending organizations.

F. The designated alternate shall ~~alternates serve~~ vote only in the absence of a member.

.09 .08 Maryland Instructor Certification Review Board Operations.

A. ~~A current file of all MICRB certified instructors shall be maintained by the MICRB.~~ The MICRB shall maintain a current file of all MICRB certified instructors.

B. The MICRB shall maintain a roster of certified Level II instructors currently ~~recognized~~ approved by the MICRB as evaluators. The organizations represented on the MICRB may recommend ~~currently recognized evaluators~~ The MICRB shall recognize approve evaluators who have been recommended and ~~swho~~ who have completed an MICRB ~~sponsored~~ endorsed Evaluator Workshop. Only MICRB recognized approved evaluators may ~~to~~ carry out required evaluations ~~during~~ of student teaching activities.

C. MICRB shall make available ~~current~~ Current lists of certified instructors, instructor trainers, and ~~recognized~~ approved evaluators ~~may be made available to bona fide training agencies or appropriate local authorities upon written request to the MICRB.~~

D. An agency submitting applicants to the MICRB for certification as a Level II instructor, ~~evaluator,~~ or instructor trainer shall certify that the candidate has ~~successfully completed each stage of the instructor training approval process~~ standard has been satisfactorily completed. ~~When appropriate, forms shall be standardized, prepared, and furnished by the~~ The MICRB shall prepare and furnish standardized forms.

E. ~~Certification decisions are by majority vote of~~ The members or alternates in attendance at the MICRB meeting ~~shall make certification decisions by a majority vote.~~ The applicant and sponsoring agency shall be notified within 30 calendar days following action of the MICRB. The MICRB shall notify the applicant and the sponsoring agency of the action within 30 calendar days following the meeting.

F. An instructor candidate denied State certification or recertification by the MICRB may appeal the decision in writing. The candidate shall direct the appeal ~~is to be directed to the chairman of the MICRB~~ within 30 calendar days from receipt of notification of action taken by the MICRB. ~~If the candidate is represented by counsel, the MICRB shall be advised in the request for appeal.~~ If counsel represents the candidate, counsel shall advise the MICRB of the request for appeal.

G. The MICRB shall hear the appeal at the ~~appeal shall be heard by the MICRB at the next scheduled meeting, but not less than 30~~ 60 calendar days from the date of receipt of the appeal.

H. The MICRB shall notify the instructor candidate of the date of the appeal ~~hearing will be heard~~. The instructor candidate or counsel, or both, may attend the hearing.

I. ~~If neither the instructor candidate nor instructor candidate's counsel appears at the hearing, the MICRB shall notify the instructor candidate within 30 calendar days of the hearing the final decision of the MICRB.~~

J. The MICRB shall oversee the ~~standards, ethics, and conduct activities~~ of the State instructor certification process as to standards, ethics, and conduct of the process. The MICRB ~~may~~ shall make recommendations to the MFRETC for modifications as needed.

K. ~~Proposed amendments to the process and these regulations shall be approved by the~~ The Maryland Higher Education Commission shall approve the proposed amendments to the process and these regulations.

.10 .09 Maryland Instructor Certification Review Board Revocation Procedure.

A. The MICRB shall only consider written requests for revocation. Requests for revocation shall be forwarded to the sponsoring agency for a response.

B. ~~Revocation may be considered for, but not limited to~~ MICRB may consider but not limit revocation to:

- (1) Misconduct;
- (2) Insubordination;
- (3) Incompetency;
- (4) Misrepresentation;
- (5) Willful neglect of duty;
- (6) Conviction of a felony;
- (7) Conviction of a crime involving moral turpitude; and
- (8) Failure to maintain required prerequisites for certification.

C. MICRB shall make a ~~A~~ preliminary decision to revoke certification shall be by majority vote of the MICRB members present at the specific meeting at which charges are presented.

D. Notice.

(1) Before revocation of certification, MICRB shall notify the Level II instructor or instructor trainer ~~shall be notified~~ in writing, by registered or certified mail sent to ~~their~~ his or her address of record, of the charges ~~against them~~ and of the preliminary revocation decision.

(2) The notice shall specify a date by which the Level II instructor or instructor trainer shall request, in writing, an appeal hearing. This due date ~~may shall~~ not be less than 15 calendar days from the date when the MICRB mails the official MICRB notification is mailed.

(3) If an appeal hearing is not requested within the time permitted, the revocation becomes effective on the due date.

E. Appeal Hearing.

(1) ~~Written appeal~~ The MICRB chairman shall ~~be received by the chairman of the MICRB~~ receive the written appeal not later than the date the revocation is to become effective.

(2) MICRB may not schedule an appeal hearing less than ~~15-30~~ calendar days, or more than ~~30~~60 calendar days, after the written appeal is received by the chairman.

(3) The MICRB shall provide the appellant ~~shall be provided~~ written notice of the hearing date not less than ~~15~~30 calendar days in advance of the hearing.

(4) ~~The individual concerned shall be heard by a~~ A quorum of the MICRB shall hear the individual, in person or by counsel, The individual and may bring witnesses to the hearing.

(5) A decision to revoke ~~is~~ shall be made by majority vote of the MICRB members present at the appeal hearing.

(6) The MICRB shall provide to the appellant in writing the decision of the appeal hearing ~~shall be provided, in writing, to the appellant~~ within 30 calendar days of the hearing.

(7) The MICRB shall set the terms of revocation.

(8) The decision of the MICRB ~~is~~ shall be final, and shall be communicated to the individual and the sponsoring agency.

~~11~~ **10 Maryland Instructor Certification Review Board Staffing.**

A. The University System of Maryland Central Administration shall provide staff ~~Staff~~ support to the MICRB, through the Maryland Fire and Rescue Institute, ~~shall be provided by the University of Maryland System Central Administration~~ subject to the approved budget of the University of Maryland System.

B. The MFRETC, the chief operating officers of the Maryland Fire and Rescue Institute and the Maryland Institute for Emergency Medical Services Systems, the chairman of the Maryland Council of Fire and Rescue Academies, and the president of the Maryland State Firemen's Association ~~may shall may~~ designate a representative as staff liaison to the MICRB in carrying out the MICRB's staff responsibilities.

C. The University System of Maryland shall reimburse members ~~Members of the MICRB shall be reimbursed by the University of Maryland System~~ for expenses incurred in attending meetings. The University System of Maryland shall provide in their operating budget other ~~Other~~ necessary expenses incurred for the operations of the MICRB ~~shall be provided in the University of Maryland System operating budget.~~

~~12~~ **11 Review.**

A. ~~The agencies and organizations represented on the MICRB shall review these regulations and certification authority every 2 years these regulations and certification authority shall be reviewed by the agencies and organizations represented on the MICRB.~~

B. ~~MICRB shall submit proposed changes to these regulations shall be submitted in accordance with the Administrative Procedure Act, State Government Article, Title 10, Annotated Code of Maryland, and through the Board of Regents of the University System of Maryland System and the Maryland Higher Education Commission.~~

13 .12 Instructor I Standards.

A. ~~General. The instructor candidate shall meet the requirements of the current NFPA 1041 Fire Service Instructor Professional Qualifications, 2001 Edition, or those of recognized instructor training agencies or educational institutions that have similar programs as approved by the MICRB requirements.~~

B. ~~The instructor candidate shall demonstrate knowledge and skills based on the general categories of the current NFPA 1041 Fire Service Instructor Professional Qualifications, 2001 Edition, and the requisite knowledge and skills of each section.~~

~~1. Program Management~~

~~a. Assemble course materials~~

~~b. Prepare training records and reports~~

~~2. Instructional Development~~

~~a. Review instructional materials~~

~~b. Teach from a prepared lesson plan~~

~~3. Instructional Delivery~~

~~a. Organize the indoor classroom, outdoor learning environment or the laboratory~~

~~b. Present prepared lessons citing resources as appropriate and using activity based, participatory learning methods~~

~~c. Make adjustment to presentations to match student learning styles~~

~~d. Address different learning styles, abilities, and behaviors~~

~~e. Operate audiovisual equipment and training equipment~~

~~f. Use audiovisual materials in conjunction with the lesson plan~~

~~4. Evaluation and Testing~~

~~a. Administer written and oral exams and skills performance tests~~

~~b. Grade exams and performance tests~~

~~c. Record and report test result~~

~~d. Provide evaluation feedback to students~~

~~(1) The objectives of this chapter are based on the ability of the instructor candidate to demonstrate knowledge and skills in the following general subject areas:~~

~~(a) Instructional planning;~~

~~(b) Instructional development;~~

~~(c) Instructional methods/techniques;~~

~~(d) Instructional materials/aids;~~

~~(e) Evaluation and testing;~~

~~(d) Training records and reports;~~

~~(g) Concepts of learning;~~

~~(h) Communication;~~

~~(i) Roles and responsibilities; and~~

~~(j) Identifying references.~~

~~(2) The instructor candidate shall define the following terms and relate the concepts of these terms to fire service instructional activities:~~

~~(a) Course objectives;~~

~~(b) Course outline;~~

~~(c) Feedback;~~

~~(d) Four-step method;~~

~~(e) Instructional materials;~~

~~(f) Instructor;~~

~~(g) Job;~~

~~(h) Job breakdown sheet;~~

~~(i) Key points;~~

~~(j) Lesson plan;~~

~~(k) Level of instruction;~~

~~(l) Materials needed;~~

~~(m) Methods of instruction;~~

~~(n) Minimum acceptable standard;~~

~~(o) Motivation;~~

~~(p) Occupational analysis;~~

~~(q) Performance levels;~~

~~(r) Progress chart; and~~

~~(s) Student.~~

~~B. Instructional Planning.~~

~~(1) The instructor candidate shall describe how to organize a teaching/learning setting in an indoor or outdoor facility with regard to:~~

~~(a) Adequate lighting;~~

~~(b) Freedom from distraction;~~

~~(c) Heating, cooling, and ventilation;~~

~~(d) Noise control;~~

~~(e) Seating;~~

~~(f) Use of audiovisual equipment and teaching aids; and~~

~~(g) Use of existing classroom facilities such as the chalkboard and bulletin board.~~

~~(2) The instructor candidate shall describe how to organize a teaching/learning setting at a drill ground or other outdoor facility with regard for:~~

~~(a) Ability of learners to see and hear all of the instructional effort;~~

~~(b) Audible and visible distractions;~~

~~(c) Inclement weather; and~~

~~(d) Visual aid limitations.~~

~~C. Instructional Development. The instructor candidate shall identify and describe the following components of a lesson plan:~~

~~(1) Job title or topic;~~

~~(2) Level of instruction;~~

~~(3) Behavioral objectives or performance objectives;~~

~~(4) Instructional materials needed;~~

~~(5) References;~~

~~(6) Preparation step (motivation);~~

~~(7) Presentation step;~~

~~(8) Application step;~~

~~(9) Lesson summary;~~

~~(10) Evaluation step; and~~

~~(11) Assignment.~~

~~D. Instructional Methods/Techniques:~~

~~(1) The instructor candidate shall describe methods for conducting a lesson using the following methods:~~

~~(a) Conference method;~~

~~(b) Discussion method;~~

~~(c) Demonstration method;~~

~~(d) Illustration method;~~

~~(e) Lecture method; and~~

~~(f) Individualized instruction method.~~

~~(2) The instructor candidate shall demonstrate ability to effect changes in student behavior given an assignment to teach a fire service subject, using a lesson plan and a technique that employs the following four steps:~~

~~(a) Preparation (motivation);~~

~~(b) Presentation;~~

~~(c) Application; and~~

~~(d) Testing.~~

~~(3) The instructor candidate shall describe how to adjust the presentation to ensure class continuity and student interest when the class is interrupted by an unscheduled event.~~

~~(4) The instructor candidate shall describe at least two means of dealing with each of the following types of students:~~

~~(a) Daydreamer;~~

~~(b) Fast learner;~~

~~(c) Shy or timid student;~~

~~(d) Sidetracker or staller;~~

~~(e) Slow learner; and~~

~~(f) Troublemaker or "wise guy".~~

~~E. Instructional Materials/Aids. The instructor candidate shall demonstrate the proper use of the following teaching aids and demonstration devices generally employed in training programs:~~

- ~~(1) Audiovisual equipment;~~
- ~~(2) Projectable instructional materials; and~~
- ~~(3) Nonprojectable instructional materials.~~

~~F. Evaluation and Testing. The instructor candidate shall:~~

- ~~(1) Describe the value of evaluating self performance during an instructional activity;~~
- ~~(2) Demonstrate ability to evaluate student performance to provide feedback regarding possible revisions in lesson plans or materials;~~
- ~~(3) Demonstrate knowledge of the administration and grading of oral, written, and performance tests that may be required for student evaluation;~~
- ~~(4) Describe procedures for reducing student failure rates by the following methods:~~
 - ~~(a) Bringing about an improved performance;~~
 - ~~(b) Providing individual instruction to improve manipulative skill performance; and~~
 - ~~(c) Tutoring a student to improve technical knowledge.~~

~~G. Training Records and Reports. The instructor candidate shall describe the benefits and purpose of training records and report forms, including progress and achievement reports, and demonstrate their completion.~~

~~H. Concepts of Learning. The instructor candidate shall describe:~~

- ~~(1) How the following student/instructor factors influence the teaching/learning process:~~
 - ~~(a) Attitude;~~
 - ~~(b) Experience;~~
 - ~~(c) Knowledge;~~
 - ~~(d) Education;~~
 - ~~(e) Personality; and~~
 - ~~(f) Physical condition (fatigue, illness, etc.); and~~
- ~~(2) The laws and principles of learning.~~

~~I. Communication. The instructor candidate shall:~~

~~(1) Demonstrate, in a teaching situation, the ability to speak in an easily understood manner having the following characteristics:~~

~~(a) A clear, effectively pitched and well modulated voice;~~

~~(b) Speech that is reasonably free from language errors; and~~

~~(c) A style reasonably free from mannerisms that materially detract from the teaching effort; and~~

~~(2) Describe the following four elements of communication:~~

~~(a) Encoding;~~

~~(b) Transmitting;~~

~~(c) Receiving; and~~

~~(d) Decoding.~~

~~I. Roles and Responsibilities. The instructor candidate shall:~~

~~(1) Locate the position of instructor I within the table of organization, identifying superiors, and describing the instructor's role within the organization;~~

~~(2) Describe and classify the instructor's responsibility to each of the following:~~

~~(a) The fire service;~~

~~(b) The administration; and~~

~~(c) The student;~~

~~(3) Describe equal opportunity and affirmative action programs as they relate to fire service instruction; and~~

~~(4) Describe safety responsibilities and practices as they relate to fire service instruction.~~

14.13 Instructor II Standards.

~~A. General. The objectives of this chapter are based on the ability of the instructor to demonstrate knowledge and skills in the following general subject areas: The instructor candidate shall meet the requirements of the current NFPA 1041 Fire Service Instructor Professional Qualifications, 2001 Edition, or those of recognized instructor training agencies or educational institutions that have similar requirements.~~

~~The instructor candidate shall demonstrate knowledge and skills based on the general categories of the current NFPA 1041 Fire Service Instructor Professional Qualifications, 2001 Edition, and the requisite knowledge and skills of each section.~~

I. Program Management

~~a. Schedule instructional courses, sessions, and lessons, and arrange for the instructors to teach as needed~~

~~b. Plan a training budget~~

- c. Determine and acquire student materials (texts, handouts) and training resources, facilities, and equipment
- d. Maintain and coordinate student and instructor records
- e. Coach and mentor new instructors and evaluate instructors using appropriate forms
- 2. Instructional Development
 - a. Develop lesson plans and teaching materials
 - b. Modify lesson plans for a designated topic and audience
- 3. Instructional Delivery
 - a. Conduct classes using a self-prepared lesson plan that cites references and includes various learning style methodologies and instructional materials and visual aids
 - b. Supervise students and other instructors who are teaching high-hazard lessons
- 4. Evaluation and Testing
 - a. Develop student evaluation tests based on objectives
 - b. Develop a course evaluation form that meets agency policies and course objectives
 - c. Analyze student evaluation exam data to determine test validity and reliability

- (1) Instructional planning;
- (2) Instructional materials/aids;
- (3) Evaluation and testing;
- (4) Concepts of learning;
- (5) References; and
- (6) Training records and reports.

B. Instructional Planning.

- (1) The instructor shall define task and job analysis and describe the procedures for performing task and job analysis.
- (2) The instructor shall demonstrate the ability to develop specific, measurable, attainable behavioral objectives or performance objectives that have three major components:
 - (a) What behavior is expected and what the student will be able to do;
 - (b) How the behavior is to be accomplished and the conditions under which the performance will be evaluated; and
 - (c) To what standard the behavior is to be accomplished and how well the student will be able to perform.
- (3) The instructor shall construct an analysis of a typical fire service occupation by dividing the occupation into the following elements:
 - (a) Block;
 - (b) Unit;

(c) Task; and

(d) Job.

C. Instructional Development. Given a fire service subject for which no prepared lesson plan exists, the instructor shall analyze the subject, determine the appropriate objectives for the subject, and develop a comprehensive lesson plan which meets the objectives for that subject and includes the following components:

(1) Job title or topic;

(2) Level of instruction;

(3) Objectives (behavioral or performance);

(4) Materials needed;

(5) References;

(6) Preparation step;

(7) Presentation;

(8) Application step;

(9) Lesson summary;

(10) Evaluation step; and

(11) Assignments.

D. Instructional Methods/Techniques. The instructor shall explain when each of the following methods of instruction should be used and describe the relative values of each method:

(1) Conference;

(2) Discussion;

(3) Demonstration;

(4) Illustration;

(5) Lecture;

(6) Group discussion;

(7) Computer-aided instruction; and

(8) Individualized instruction.

E. Instructional Materials/Aids.

(1) The instructor shall prepare the following instructional materials:

- (a) Overhead transparencies;
- (b) Charts;
- (c) Diagrams;
- (d) Information sheets; and
- (e) Student worksheets.

(2) The instructor shall prepare, for developmental purposes, a comprehensive course outline that includes the following components:

- (a) Determination of the needs of students to be enrolled in the course;
- (b) Course objectives;
- (c) Identification of the jobs to be taught;
- (d) Organization of the jobs in a logical teaching sequence; and
- (e) Establishment of a tentative teaching time for each job and the entire course.

(3) After analyzing organizational needs and programs, the instructor shall prepare or select instructional materials such as the following:

- (a) Film strips;
- (b) Motion pictures;
- (c) Slides;
- (d) Video tapes;
- (e) Audio material;
- (f) Blueprints;
- (g) Mock-ups;
- (h) Models;
- (i) Photographs;
- (j) Program instructional materials;
- (k) Self-study material;
- (l) Student workbooks;

(m) Text books; and

(n) Computer-aided instruction.

F. Evaluation and Testing.

(1) The instructor shall construct written questions, oral questions, and performance tests based on the behavioral objectives or performance objectives of the lesson.

(2) The instructor shall construct a written and oral examination, and a performance test, all of which meet the following requirements:

(a) Comprehensive;

(b) Effective;

(c) Free from ambiguities in content, administration, and grading;

(d) Nondiscriminatory;

(e) Reliable; and

(f) Valid.

(3) The instructor shall construct a test analysis and an item analysis that provide information regarding examination effectiveness and validity.

(4) The instructor shall define the following terms and describe their implications in determining examination effectiveness:

(a) Criterion reference testing;

(b) Norm reference testing;

(c) Distribution of scores;

(d) Frequency of scores;

(e) Interval;

(f) Mean;

(g) Median;

(h) Percentage scores;

(i) Percentile scores;

(j) Range of scores; and

(k) Standard deviation.

(5) Given a summary of test grades and the results of other evaluation procedures, the instructor shall:

(a) Determine causes of a student's failure to meet objectives;

(b) Prepare reports for superiors that summarize deficiencies; and

(c) Make recommendations for corrective action that will reduce future failures.

(6) The instructor shall describe the requirements of the equal employment opportunity act, including guidelines and affirmative action efforts for employee selection and testing.

G. Concepts of Learning. The instructor shall describe how the following factors influence the teaching/learning process:

(1) Instructional materials;

(2) The teaching/learning setting;

(3) Competency-based learning.

H. References. The instructor shall identify sources of references required for the development of a fire service lesson plan.

I. Training Records and Reports. The instructor shall construct suitable training records and reports.



MHEC

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Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor


John J. Oliver, Jr.
Chairman

Karen R. Johnson
Secretary of Higher Education

MEMORANDUM

DATE: March 12, 2003

TO: Education Policy Committee

FROM: Karen R. Johnson, 

STAFF: Dr. John A. Sabatini, Jr.
Dr. David E. Sumler

SUBJECT: Proposed Regulation Defining "Operating in Maryland" (Physical Presence) for Out-of-State Institutions

With the growth of on-line instruction and distance education, a number of out-of-state institutions and on-line degree-granting colleges have sought clarification of the Commission's application of its regulations to purely on-line instruction. When the staff recently presented a technical change in the out-of-state regulations to the Education Policy Committee, the Committee requested that the staff clarify just when an on-line institution could be said to be "operating in Maryland." This proposed regulation will provide a threshold for the application of the Commission's approval authority over such institutions.

This policy establishes a number of conditions under which an out-of-state institution can be said to be operating in Maryland. If an institution meets any of these conditions, it must apply for the Commission's approval to operate in the State. However, the regulations do not apply to out-of-state institutions delivering instruction on-line over the Internet to the home and workplace and not having any other presence in Maryland under the proposed conditions. The concepts for the proposed regulation are:

1. To be considered operating in the State an institution must have continuous or maintained activity in Maryland as opposed to periodic and temporary visits to Maryland for non-instructional purposes.
2. An institution cannot escape the requirement for approval by operating in the facilities of another organization. For example, if a community college provides a computer laboratory for students to use in taking courses from an out-of-state institution, then the out-of-state institution is considered to be operating in Maryland and is required to receive approval.
3. There is no mention in the proposed regulation to instruction that goes directly to a computer in a student's home or workplace, because this would be an impractical requirement to enforce.

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4. All aspects of this regulation must be based on a fact of physical presence which can be established in court: the rental, lease, or purchase of property; the recurring use of property for educational purposes; and/or a mailing address, a mail forwarding service, a telephone or facsimile service, a telephone answering or relay service.

In addition, the proposed regulation will distinguish between out-of-state institutions that are regionally accredited and those that are not. Since the attainment of regional accreditation by an institution provides evidence of a certain level of educational, administrative, and financial viability and credibility, there is an assumption that these institutions may carry out certain activities in the State short of offering instruction and granting formal awards without having to be approved. The same assumption of acceptable levels of quality cannot be extended to out-of-state institutions that are not regionally accredited. Therefore, under the proposed policy, any activity in the State by a non-regionally accredited out-of-state institution would require the approval of the Commission.

SOURCE OF THE PROPOSED REGULATION'S LANGUAGE

In preparing this proposal, the Commission staff surveyed the 16 states that are members of the Southern Regional Education Board's Educational Technology Cooperative. Nine of the states responded. Of these, two said they had no policy regarding the "physical presence" of an institution operating within state boundaries.

Of the states that submitted legally adopted wording, all were consistent in going beyond the rental, lease, or purchase of a facility to include the establishment of a mailing address, telephone number, or other telecommunication device within state boundaries. The Kentucky law is typical:

"Operating in Kentucky" means any of the following:

- a. Maintaining for any purpose related to offering a degree, diploma, or postsecondary academic credit, a physical location in this state, mailing address in this state, a telephone or facsimile number in this state, a mail forwarding service or telephone answering or relay service in this state, or advertising any such presence; or
- b. By any means, facilitating within the state any part of a scheme to offer a degree, diploma or credit, or any activity connected with the administration, promotion, recruitment, placement, instruction, fee collection, or receipt, or any other function of a purported postsecondary educational institution, other than periodic and customary contact with the institution's own alumni.

The Florida regulation closely resembles the Kentucky policy. West Virginia extended its definition of operating in West Virginia to include:

"[an institution that] receives assistance from any other organization within the state in delivering the instruction, such as, but not limited to, a cable television company or a television broadcast station that carries instruction sponsored by the institution."

South Carolina does not mention an in-state mailing address, telephone or facsimile number, but includes a very broad criterion. It is considered “operating in South Carolina” if an institution engages in:

“advertising, promotional material, or public solicitation in any form that targets South Carolina residents through distribution or advertising in the state.”

In formulating the proposed regulatory definition of “operating in Maryland,” the Commission staff has used the Florida and Kentucky regulations as models. The staff has also incorporated certain concepts which have been suggested by experience and which would appear to lessen confusion on the part of applicant institutions.

RECOMMENDATION: It is recommended that the Education Policy Committee recommend to the Maryland Higher Education Commission approval of the proposed regulations.

TITLE 13B
MARYLAND HIGHER EDUCATION COMMISSION

Subtitle 02 ACADEMIC REGULATIONS

Chapter 01 Requirements for Authorization of Out-of-State Degree-Granting Institutions to Operate in the State of Maryland

Text in italics indicates new text.

.02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) -- (13) are unchanged.

(14) *"Operating in Maryland" means:*

- a. *the maintenance in Maryland, for the purpose of offering instruction leading to a degree, certificate or diploma, or any instruction for credit, of a classroom (including a teleclassroom and/or a computer laboratory) or any other instructional space either through a rental or lease or the purchase of space;*
- b. *the recurring use of space for instruction in Maryland provided by another educational entity or any organization, whether or not a rental, lease or purchase occurs; or*
- c. *the maintenance in Maryland by a non-regionally accredited out-of-state institution or organization of any on-going administrative or instructional activity which purports to contribute to the granting of degrees or postsecondary certificates or course credits;*
- d. *but does not mean and does not include the non-instructional activities of a regionally accredited out-of-state institution which*
 - i. *maintains in Maryland space for non-instructional purposes, such as recruiting, registration, or other administrative purposes,*
 - ii. *conducts periodic and temporary visits to Maryland for the purposes of student recruitment or contact with an institution's own alumni,*
 - iii. *maintains in Maryland a mailing address, a telephone or facsimile number, or a mail forwarding service or telephone answering or relay service, or advertising such a presence;*

.21 Instruction Delivered by Distance Education.

- A. An institution *operating* ~~delivering instruction~~ in Maryland by distance education shall provide evidence to the Secretary of compliance with the standards of good practice in this section.



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Secretary of Higher Education

MEMORANDUM

DATE: March 12, 2003

TO: Education Policy Committee

FROM: Karen R. Johnson, J.D.  STAFF: Dr. John A. Sabatini, Jr.

SUBJECT: No Child Left Behind (NCLB)-High Quality Teachers and Paraprofessionals

As described by the U.S. Department of Education, on Jan. 8, 2002, President George W. Bush signed into law the *No Child Left Behind* Act of 2001 (NCLB). This new law represents his education reform plan and contains the most sweeping changes to the Elementary and Secondary Education Act (ESEA) since it was enacted in 1965. The act contains the President's four basic K-12 education reform principles, often referred to as pillars: stronger accountability for results, increased flexibility and local control, expanded options for parents, and an emphasis on teaching methods that have been proven to work. The Maryland State Department of Education (MSDE) is responsible for implementing NCLB for Maryland.

Dr. Lawrence E. Leak, MSDE's Assistant State Superintendent for the Division of Certification and Accreditation, will present to the Education Policy Committee the section of NCLB that relates to high quality teachers and paraprofessionals. Among other things, in terms of teacher quality, NCLB has a list of certain measures that must be in place to ensure high quality teachers and paraprofessionals in the nation's classrooms. The general requirements are:

- Beginning in school year 2002-2003, all new teachers hired in Title I programs must be highly qualified;
- By the end of the 2005-2006 year, all teachers teaching in "core academic subjects" in each public elementary school and secondary school must be highly qualified; and
- Local school systems must notify parents if their child is taught by a teacher who does not meet the definition of highly qualified (Title I schools only).

The importance of improving teacher quality is supported on both the national and the State level. In addition to its inclusion in NCLB, emphasis on teacher quality is consistent with the State Plan for Postsecondary Education and is one of the overriding principles of the Maryland Redesign for Teacher Education.

RECOMMENDATION: This item is for information only.

MARYLAND HIGHER EDUCATION COMMISSION

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NCLB- High Quality Teachers and Paraprofessionals

Briefing for the Education Policy Committee

Maryland Higher Education Commission

Karen R. Johnson, J.D., Secretary • John J. Oliver, Jr., Chairman

Lawrence E. Leak

Maryland State Department of Education

March 12, 2003

marylandpublicschools.org

Subject to revision as new information becomes available.



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NCLB- General Teacher Quality Requirements

Beginning SY 2002-03, all new teachers hired in Title I programs must be “highly qualified”.

By the end of the 2005-06 year, all teachers teaching in “core academic subjects” in each public elementary and secondary school must be “highly qualified”.

Local school systems must notify parents if their child is taught by a teacher who does not meet the definition of highly qualified (Title I schools only).



NCLB General Teacher Quality Definitions

- The term “highly qualified teacher” means:
 - Public elementary and secondary teachers must be fully certified by the state and must not have had any certification requirements waived on an emergency, temporary or provisional basis.



NCLB Specific Teacher Quality Definitions

- New public elementary school teachers must have at least a bachelor's degree and pass a state test demonstrating subject knowledge and teaching skills in reading, writing, mathematics and other areas of any basic elementary school curriculum.
- New middle or secondary school teachers must have at least a bachelor's degree and demonstrate competency in each of the academic subjects taught, or complete an academic major or coursework equivalent to a major, a graduate degree or advanced certification



NCLB Specific Teacher Quality Definitions

- Existing public elementary, middle and secondary teachers must have at least a bachelor's degree and meet the requirements described above, or demonstrate competency in all subjects taught. A state evaluation standard is to be used to judge competency. The evaluation standard must provide objective information about the teacher's knowledge in the subject taught and can consider, but not use as a primary criterion, time spent teaching the subject. (Title IX, Part A, Sec. 9101)



Uniform State Evaluation

- NCLB has numerous and specific requirements and defines a high objective uniform State standard of evaluation as an evaluation that:
 - (1) is set by the State for both grade appropriate academic subject matter knowledge and teaching skills;
 - (2) is aligned with challenging State academic content and student achievement standards and developed in consultation with core content specialists, teachers, principals, and school administrators;

Uniform State Evaluation (Cont.)

- (3) provides objective, coherent information about the teacher's attainment of core content knowledge in the academic subjects in which a teacher teaches;
- (4) is applied uniformly to all teachers in the same academic subject and the same grade level throughout the State;
- (5) takes into consideration, but not be based primarily on, the time the teacher has been teaching in the academic subject;

Uniform State Evaluation (Cont.)

- 6) is made available to the public upon request; and
- (7) may involve multiple, objective measures of teacher competency.



NCLB Core Academic Subject Areas

Arts
Civics and Government
Economics
English
Foreign Language
Geography
History
Mathematics
Reading or Language Arts
Science



NCLB Annual Reporting Requirements

- Under NCLB, Title I, Part A, Maryland must prepare and disseminate not later than the 2002-03 school year an annual report card that includes:
 - The professional qualifications of teachers.
 - The percentage of teachers with emergency or provisional credentials.
 - The percentage of classes in the state not taught by "highly qualified" teachers.



NCLB State Plan Requirements

- Each state receiving funds under NCLB, Title I, Part A, must submit:
 - A plan to ensure all teachers of “core academic subjects” within the state are “highly qualified” by the end of the 2005-06 school year.
 - A plan that includes steps it will take to ensure poor and minority children are not taught at higher rates than other children by inexperienced, uncertified or out-of-field teachers.



Six Potential Areas of Concern

While majority of Maryland’s *professionally certified teachers* meet and/or exceed NCLB requirements of “highly qualified” *six groups of professionally certified teachers* pose potential concern.

Six Potential Areas of Concern (cont.)

- Incumbent Early Childhood and Elementary Teachers
- Incumbent and New Early Childhood Teachers
- Teachers Certified through Reciprocity
- Certain Special Education Teachers
- Teachers Working Out-of-Field
- Certain Middle School Teachers

Incumbent Early Childhood and Elementary Teachers

- Issue: The first group includes incumbent Early Childhood or Elementary teachers certified in Maryland who received their certification prior to the required testing for certification being implemented (1987).
- Option: 1. Take and pass the appropriate Praxis II tests (Early Childhood teachers can take and pass the revised Praxis II test in Early Childhood Education when available).
- Option: 2. Pass Highly Objective Uniform State Evaluation when available.



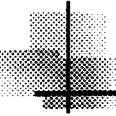
Incumbent and New Early Childhood Teachers

- Issue: The second group includes all incumbent and new Early Childhood certificate holders. Certification in this area for Maryland does not require a content test.
- Option: 1. Take and pass the revised Praxis II test in Early Childhood Education when available.
- Option: 2. Incumbent teachers can pass the Highly Objective Uniform State Evaluation when available.



Teachers Certified through Reciprocity

- Issue: The third group includes any incumbent or new teacher who received his or her certification based on reciprocity with another state which does not require the testing mandated under NCLB.
- Option: 1. All teachers can take and pass the appropriate Praxis II tests in the area of teaching assignment.
- Option: 2. Middle and secondary teachers can, in each of the academic subjects taught, complete an academic major or coursework equivalent to a major, a graduate degree or advanced certification (National Board Certification in each of the academic subjects taught).
- Option: 3. Incumbent teachers can pass the Highly Objective Uniform State Evaluation when available.



Certain Special Education Teachers- US DOE Guidance

- Special education teachers who are providing instruction in core academic subjects also must meet the "highly qualified" requirements under the NCLB Act.
- Special educators who do not directly instruct students on any core academic subject or who provide only consultation to highly qualified teachers of core academic subjects in adapting curricula, using behavioral supports and interventions, and selecting appropriate accommodations do not need to meet the same "highly qualified" subject-matter competency requirements that apply under the NCLB Act to teachers of core academic subjects.



Certain Special Education Teachers

- Option: 1. All teachers can take and pass the appropriate Praxis II tests in the area of teaching assignment.
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- Option: 3. Incumbent teachers can pass the Highly Objective Uniform State Evaluation when available.



Teachers Working Out-of-Field

- Issue: The fifth group includes any teacher teaching in a core academic area for which the teacher is not certified.
- Option: 1. All teachers can take and pass the appropriate Praxis II tests in the area of teaching assignment.
- Option: 2. Middle and secondary teachers can, in each of the academic subjects taught, complete an academic major or coursework equivalent to a major, a graduate degree or advanced certification (National Board Certification in each of the academic subjects taught).
- Option: 3. Incumbent teachers can pass the Highly Objective Uniform State Evaluation when available.



Certain Middle School Teachers

- Issue: The final group includes any middle school educator, who only holds elementary certification, teaching in a core academic area.
- Option: 1. All teachers can take and pass the appropriate Praxis II tests in the area of teaching assignment.
- Option: 2. Middle and secondary teachers can, in each of the academic subjects taught, complete an academic major or coursework equivalent to a major, a graduate degree or advanced certification (National Board Certification in each of the academic subjects taught).
- Option: 3. Incumbent middle school teachers can pass the Highly Objective Uniform State Evaluation when available.



Options Under Discussion at MSDE

- Adding Endorsement Using Praxis.
 - Critical for Middle School & Special Education Teachers.
 - Critical for Teachers Assigned Out-of-Field.
- Creating a Middle School Certification Endorsement.
- Content Validation for Middle School Content Areas
 - English, Social Studies, Mathematics, & Science
- Content Validation for Early Childhood Test (Spring 2003)
- Reviewing Qualifying Scores for Existing Praxis Tests.
- Working with LSS to Undertake Classroom Level Membership Survey.
- Working with IHE's to Expand the AAT and MAT Programs.



Praxis II Qualifying Score Changes

- New Composite scores for the following assessments:
 - Art (0133 and 0132, composite score- 304)
 - Music (0113 and 0112, composite score- 301)
 - Special Education (0352 and 0351, composite score- 302)
 - Biology (0231 and 0232, composite score- 301)
 - French (0173 and 0171, composite score- 331)
 - German (0181 and 0182, composite score- 317)
 - Spanish (0191 and 0192, composite score- 330)
- MSDE will no longer require Home Economics (0120) and the Principles of Teaching and Learning (0524) for certification in Family and Consumer Sciences .
- The effectiveness date for these changes is February 5, 2003.



Implications for Higher Education

- Certification: How to address the problem of “certified but not “highly qualified”?
 - Early Childhood
 - Middle School
 - Special Education
- Solutions:
 - Full support of the Redesign
 - Full implementation of the AAT
 - Middle School certification – program approval process
 - Increase content mastery of incumbent teachers
 - Content based graduate programs for teachers



Implications for Higher Education

- Status of Maryland’s Resident Teacher Certificate
 - Consistent with Federal NCLB “highly qualified teacher” regulations.
 - Limited use over the past 10 years.
 - Increased need now for innovative alternative routes from IHEs.



NCLB Requirements- Paraprofessionals

Instructional Paraprofessionals working in programs funded by Title I must:

- Have a high school diploma or GED, and
- Hold an Associate's Degree or higher
- OR
- Have completed at least two years of study at an institution of higher education
- OR
- Meet rigorous standards of quality demonstrated through a state or local assessment



Formal State Assessment

- Current Efforts in Maryland
 - The Educational Testing Service has developed ParaPro to meet the requirements of the *No Child Left Behind Act of 2002*.
 - Maryland participated in a pilot administration of ParaPro on September 21, 2002.



NCLB Deadlines for Paraprofessionals

- All Title I funded instructional paraprofessionals hired after January 8, 2002 must meet NCLB requirements.
- All Title I funded instructional paraprofessionals hired prior to January 8, 2002 must meet NCLB requirements by January 8, 2006.



NCLB Exemptions for Paraprofessionals

- Paraprofessionals who are volunteers or perform non-instructional duties such as cafeteria duty, computer technician services, bus duty, personal care services, etc.
- Paraprofessionals whose duties consist solely of translating or parent involvement activities.



Next Steps in Maryland's efforts to have High Quality Paraprofessionals

- Validate and set passing score for ParaPro (Spring 2003).
- Create a voluntary state-issued credential for instructional paraprofessionals (January 2004).
- Work with paraprofessional stakeholder groups to enable all paraprofessionals to meet new Federal requirements.

Supplemental Information

Options for Incumbent Teachers


Incumbent Early Childhood and Elementary Teachers

- Issue: The first group includes incumbent Early Childhood or Elementary teachers certified in Maryland who received their certification prior to the required testing for certification being implemented (1987).
- Option: 1. Take and pass the appropriate Praxis II tests (Early Childhood teachers can take and pass the revised Praxis II test in Early Childhood Education when available).
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- Source: US GPO, (December 2, 2002). Final Regulations. *Federal Register* 67(231), Pages 71763-64.



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Uniform State Evaluation



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Uniform State Evaluation (Cont.)

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- (5) takes into consideration, but not be based primarily on, the time the teacher has been teaching in the academic subject;

Uniform State Evaluation (Cont.)

- 6) is made available to the public upon request; and
- (7) may involve multiple, objective measures of teacher competency.

Supplemental Information

USDOE Guidance

US DOE Guidance

- *May a secondary school teacher who has demonstrated subject-matter competence in a core academic subject and received full State certification in that subject area be considered "highly qualified" when holding an emergency or temporary permit to teach another subject outside of his or her area of certification?*
- No. To be "highly qualified," requires a teacher to have demonstrated "a high level of competency in each of the [core] academic subjects" in which he or she teaches. Hence, the teacher described in this question is highly qualified in terms of the first subject, but not in terms of the additional subject. The teacher will not be considered highly qualified in the additional subject area until he or she has passed a rigorous State academic subject test or demonstrated (through the other means the law permits) the required competence in the additional subject area.
- Source: US DOE, (December 19, 2002), *Improving Teacher Quality State Grants*. Pages 11-22.

US DOE Guidance (cont.)

- *If either the State Commissioner of Education or the SEA has authority to waive certification requirements on an emergency, temporary, or provisional basis, can any teachers receiving such waivers be considered highly qualified?*
- No. The law states that to be considered highly qualified, the teacher must not have "had certification or licensure requirements waived on an emergency, temporary, or provisional basis" [Section 9101(23)(A)(ii)].

■ Source: US DOE, (December 19, 2002), Improving Teacher Quality State Grants. Pages 11-22.

US DOE Guidance (cont.)

May a new teacher who holds a B.A. degree and who teaches in a supervised and mentored internship, but who has not passed the State subject matter exam, be considered highly qualified?

- Yes, but only if the teacher (1) is or will be teaching at the middle or secondary level, (2) has full State certification, and (3) has met one of the other statutory tests for having a high level of competency in the subject(s) that he or she would teach. Besides passing "a rigorous State academic subject test" in each [core] academic subject the teacher will teach, middle and high school teachers could alternately demonstrate the necessary competence by completion of an academic major or authorized equivalent (*i.e.*, a graduate degree, coursework equivalent to an undergraduate academic major, or advanced certification or credentialing) in each of these subjects [Section 9101(23)(B)(ii)(II)].

■ Source: US DOE, (December 19, 2002), Improving Teacher Quality State Grants. Pages 11-22.

US DOE Guidance (cont.)

- *May a teacher who does not yet hold a B.A. degree or who has not yet passed the State subject matter exam (or otherwise demonstrated competence to teach each subject he or she would teach) be considered highly qualified if teaching in a supervised and mentored internship?*
- No. To be considered highly qualified, every teacher at every grade level must (1) have at least a 4-year degree, (2) have full State licensure or certification (or be deemed to have such licensure or certification because of satisfactory participation in an alternative route program, and (3) demonstrate a high level of competence in each subject he or she would teach.

■ Source: US DOE, (December 19, 2002), Improving Teacher Quality State Grants. Pages 11-22.

US DOE Guidance (cont.)

- *May a teacher who holds a 4-year degree and has passed the State subject matter exam, but who has not yet attained full certification, be considered highly qualified if teaching in a supervised and mentored internship?*
- Yes, but only if the teacher is participating on a satisfactory basis in an "alternate route" program. Teachers may be considered highly qualified if they (1) have a 4-year degree, (2) have demonstrated subject area competence in each of the core academic subjects in which they are or will be teaching, and (3) are participating in an alternative route program.

■ Source: US DOE, (December 19, 2002), Improving Teacher Quality State Grants. Pages 11-22.

US DOE Guidance (cont.)

- *May a middle school teacher be considered "highly qualified" if the teacher is licensed or certified by the State, has a B.A. degree, and holds a minor in the academic subject(s) he or she teaches?*
- No. Whether new to the profession or not, if a middle school teacher has only a minor in the area he or she teaches, that teacher will not be considered to have met the highly qualified requirement until the teacher (1) passes a rigorous state subject test in that subject area, (2) successfully completes an academic major, a graduate degree, coursework equivalent to an undergraduate academic major, or advanced certification or credentialing in the subject(s) he or she teaches, or (3) has been successfully evaluated on the basis of a State system of evaluation that meets the requirements of Section 9101(23)(C)(ii).
- Source: US DOE, (December 19, 2002), Improving Teacher Quality State Grants. Pages 11-22.

US DOE Guidance (cont.)

- *In some cases, State rules require each LEA to evaluate a teacher's competency in a number of key areas, but do so against its own (LEA) benchmarks for what constitutes adequate quality in these areas. Does this approach meet the requirements for an "objective uniform State standard of evaluation" against which to assess teacher competency?*
- No, although teachers of the same subject and grade may need different skills, depending on whether they teach in high-need urban or rural schools or schools located in more affluent areas. However, the law requires the State to ensure that all LEAs use a uniform standard for evaluating whether teachers, regardless of where they teach, have the skills they need.
- Source: US DOE, (December 19, 2002), Improving Teacher Quality State Grants. Pages 11-22.

US DOE Guidance (cont.)

- *If a K-8 school is designated by the State as an elementary school, do the teachers in grades 6, 7, and 8 have to meet the highly qualified requirements for elementary teachers or for middle school teachers?*
- If the State has designated the school as an elementary school, then the teachers in grades 6, 7, and 8 will be expected to meet the highly qualified requirements for elementary teachers. However, if the upper elementary grades have been designated as a middle school, per the "school-within-a-school" concept, then they will be required to meet the requirements of middle school teachers.
- Source: US DOE, (December 19, 2002), Improving Teacher Quality State Grants. Pages 11-22.

US DOE Guidance (cont.)

- *Some schools have alternative educational placements for disruptive or behaviorally challenged students, which is generally a self-contained classroom with a limited number of students. How can teachers who teach in such alternative arrangements be considered to have met the highly qualified requirements?*
- At the elementary and middle school levels, teachers who provide instruction in alternative educational placements should meet the same highly qualified requirements as elementary school teachers. At the middle school level, arrangements should be made for independent study opportunities, where the teacher of record provides materials and lessons for the student.
- Source: US DOE, (December 19, 2002), Improving Teacher Quality State Grants. Pages 11-22.

US DOE Guidance (cont.)

- *What happens if an LEA has failed to make progress toward meeting the State's annual measurable objectives for increasing the number of highly qualified teachers it employs?*
- If the LEA fails for two consecutive years to make progress toward meeting the annual objectives, then the LEA must develop an "improvement plan."

■ Source: US DOE, (December 19, 2002), Improving Teacher Quality State Grants. Pages 11-22.

US DOE Guidance (cont.)

- *What other steps must an SEA take with regard to an LEA that has failed to meet its performance goals and make AYP for three consecutive years?*
- The SEA must (in conjunction with the LEA) provide funds directly to one or more schools served by the LEA. The funds for these professional development activities at individual schools are to be taken from the LEA's *Improving Teacher Quality State Grants* allocation.

■ Source: US DOE, (December 19, 2002), Improving Teacher Quality State Grants. Pages 11-22.

ATTACHMENTS

DRAFT

Suggested amendment to COMAR 13A.12.01.13

.13 Adding New Certificate Areas.

A. Additional specific certification areas shall be added to a professional certificate if the applicant:

(1) [Meets the content and the professional education course requirements of the additional area under COMAR 13A.12.02 and] Obtains a qualifying score as established by the State Superintendent of Schools on the [appropriate] required teacher certification tests unless otherwise exempt under Regulation .05D of this chapter; or

(2) Meets the requirements under COMAR 13A.12.03 or 13A.12.04.

B. The State Superintendent of Schools shall maintain a list of the teacher certification tests required to add an endorsement for specific certification areas.

DRAFT

DRAFT

Lawrence Leak

From: Joann Ericson
Sent: Wednesday, February 5, 2003 8:12 AM
To: Lawrence Leak
Subject: FW: Composite Scores for Praxis II Assessments

FYI...

-----Original Message-----

From: Joann Ericson
Sent: Tuesday, February 04, 2003 4:04 PM
To: Charles Craft; Dave Lombardo; Dennis Mesko; Donald Francis; Donald Harmon; Edward Weiland; Ervin Fink; Howard Burnett; James Jennings; James Smith; Jim Orr; Jimmie Saylor; John Masone; John Smeallie; Keith Hettel; Leo Lawson; Mamie Perkins; Paula Lawton; Robert Davis; Sheila Dudley; Stephanie Moses; Terenda Thomas; Thelma Monk; Willie Jackson; Barbara Matthews; Becky Hutzell; Bill Simmons; Crystal Moede; Donna Newcomer-Coble; Jon O'Neal; Marge Penhallegon; Nancy Slovikosky; Penny Post; Sandy Sengstack; Valerie Schwartz; Victoria McCormick
Cc: Anna Esquela; Dan Lessard; Janet Marsh; Joan McCready; Ruth Johnson
Subject: Composite Scores for Praxis II Assessments

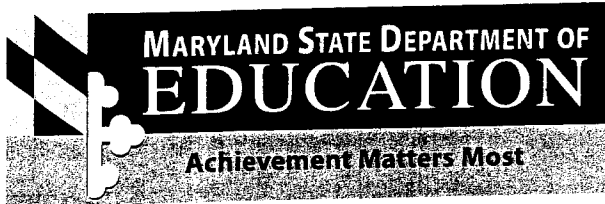
Effective February 5, 2003, we will accept composite scores for the following Praxis II assessments:

Art (0133 and 0132, composite 304)
Music (0113 and 0112, composite 301)
Special Education (0352 and 0351, composite 302)
Biology (0231 and 0232, composite 301)
French (0173 and 0171, composite 331)
German (0181 and 0182, composite 317)
Spanish (0191 and 0192, composite 330).

We will no longer require Home Economics (0120) and the Principles of Teaching and Learning (0524) for certification in Family and Consumer Sciences (FACS).

Sincerely,

Joann H. Ericson, Ph.D.
Chief, Certification



Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

TO: Local Superintendents of Schools
FROM: Lawrence E. Leak *LERRY*
SUBJECT: ParaPro Test Delay
DATE: January 22, 2003

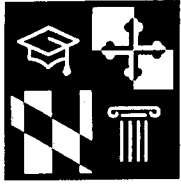
Subsequent to my meeting with you at the December superintendents meeting, I received the federal guidance regarding Paraprofessional qualifications from the *No Child Left Behind Act*. This guidance states that an assessment to be used in lieu of two years of college or an associate of arts degree *must be comparable to two years of college*.

In response to this requirement, Educational Testing Service (ETS) determined that it must conduct a series of validation procedures involving community college representatives. Below is a brief overview of the study ETS will be conducting:

- ETS will collect instructional artifacts from two-year programs from across the country. They will conduct a content analysis of these materials and then a linkage analysis of the extent to which there is a substantiated connection between the content of the ParaPro Assessment (content coverage, level of difficulty, etc.) and the knowledge and skills addressed by the artifacts received and reviewed. (Their deadline for collecting these materials is February 15, 2003.)
- ETS will present the results to the states and to an expert panel they will convene on April 15, 2003. The panel's charge will be to review and critique the results, and to conduct a "quality control" analysis. The collective examination of the work will add to the accumulated evidence addressing the extent of equivalency between the Assessment and the second-year of college education.

MSDE will delay the adoption and score setting of the ParaPro test until ETS can verify to us that the ParaPro test will meet the new federal requirements. I will give you updates on this issue as new information becomes available.

c: Dr. Nancy S. Grasmick
Dr. Joann Carter
Mr. Ron Peiffer
Directors of Human Resources
Title I Coordinators



MHEC

Creating a state of achievement

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor

John J. Oliver, Jr.
Chairman

Karen R. Johnson
Secretary of Higher Education

MEMORANDUM

DATE: March 12, 2003

TO: Education Policy Committee

FROM: Karen R. Johnson, 

STAFF: Dr. John A. Sabatini, Jr.
Dr. Michael J. Kiphart

SUBJECT: Low-Productivity Degree Program Criteria Workgroup

Background

The Education Policy Committee of the Maryland Higher Education Commission asked the Secretary of Higher Education to convene a workgroup of Commission staff and representatives of the public segments of higher education to review the criteria currently being used for the *Low-Productivity Degree Program Report*. The Education Policy Committee requested that the criteria workgroup report back to the Committee with recommendations by April 2003 in time for the Committee meeting on May 7, 2003.

Current Status, Issues, and Timeline for Completion

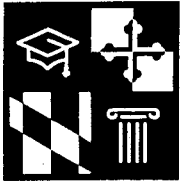
The Secretary of Higher Education has formed the criteria workgroup. The workgroup consists of two representatives from the Maryland Higher Education Commission; two representatives from the University System of Maryland; two representatives from the Maryland Association of Community Colleges; one representative from Morgan State University; and one representative from St. Mary's College of Maryland. In addition to the current criteria and exemption categories, the Department of Legislative Services (DLS) requested that the criteria workgroup consider the following DLS analyst recommendations:

1. Exemptions should expire in a maximum of three years.
2. Exemption definitions should be reviewed, and the liberal arts exemption should be eliminated.
3. Given the State's emphasis on four-year graduation/transfer rates at community colleges and six-year graduation rates at four-year colleges and universities, new programs should be exempt from productivity standards for three years at community colleges and for five years at four-year institutions.
4. To promote accountability, a grace period of a pre-determined length should be available for programs for which institutions intend redesign or additional resources.

5. The Maryland Higher Education Commission should develop a process through which to resolve situations where programs have high enrollment but few graduates.

The workgroup has had an initial meeting to examine the current criteria for identifying programs as low producing; to review the exemption categories permitted to institutions; and to consider the Department recommendations. The workgroup is in the process of framing recommendations regarding the criteria and reporting process that will be presented to the Education Policy Committee at its meeting on May 7, 2003.

RECOMMENDATION: This item is for information only.



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Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor


John J. Oliver, Jr.
Chairman

Karen R. Johnson
Secretary of Higher Education

MEMORANDUM

DATE: March 12, 2003

TO: Education Policy Committee

FROM: Karen R. Johnson, J. 

STAFF: Dr. John A. Sabatini, Jr.
Dr. Michael Keller

SUBJECT: Minority Achievement Action Plans

Background

As part of the State's performance accountability report, the public colleges and universities submit a *Minority Achievement Report* to the Commission every three years which describes their progress in the recruitment and retention of minority students, faculty and professional staff. The public campuses provided the Commission with an update of their activities in this area last year.

In the report, the Commission analyzed trends in the accountability performance measures and benchmarks which relate to minority achievement. This included an examination of the progress that individual institutions have made toward their benchmarks on each measure. Campuses that were identified as falling significantly short of their goals were asked to report on the steps they have taken or plan to take to address the situation.

When the Commission received the 2002 *Minority Achievement Report*, it voted to ask the presidents of the public colleges and universities which have made limited or no progress toward benchmarks on one or more of the common accountability performance measures to submit action plans to the Commission. These plans, which are to be developed in cooperation with the Commission staff, are to include the identification of specific strategies to attain the minority achievement benchmarks, an implementation schedule, a process of evaluation, and, as available, statistics that demonstrate the results of activities.

Current Status, Issues, and Timeline for Completion

The Secretary of Higher Education asked the public higher education sectors to name representatives to meet with the Commission staff to discuss the composition of the action plans. This workgroup has convened and has agreed to a set of guidelines that the public campuses will use in preparing the action plans. The action plans will be presented to the Commission's Education Policy Committee in August 2003.

RECOMMENDATION: This item is for information only.

MARYLAND HIGHER EDUCATION COMMISSION

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Chairman

Karen R. Johnson
Secretary of Higher Education

MEMORANDUM

DATE: March 12, 2003

TO: Education Policy Committee

FROM: Karen R. Johnson, J.E.

STAFF: Judy Hendrickson

SUBJECT: Standards for Distance Education Delivered by Maryland Private Career Schools

Background

Throughout the country, there is an increasing demand for education and training offered through distance education. Therefore, Commission staff is developing standards for distance education offered by Maryland private career schools. Additional regulations are required to assure program quality and consumer protection for students enrolled in distance education at private career schools. Care must be taken to avoid the enormous harm previously caused by private career schools offering a similar mode of delivery. In 1990, a single correspondence school named National Training Systems precipitously closed with 1,600 students unable to complete their training after having paid tuition totaling more than \$8 million.

Current Status, Issues, and Timeline for Completion

Currently, Commission staff are developing minimum standards for interactive, electronically transmitted distance education to be offered by private career schools. Proposed standards will address specific issues and concerns that are especially pertinent to instruction delivered by distance education. Some issues and concerns are unique to this instructional delivery method. Others may apply to all types of training but are exacerbated or compounded when instruction is offered at a distance. These include, but are not limited to, the following issues:

	GENERAL ISSUES	SPECIFIC ISSUES/CONCERNS
1.	Operational Definition	Defining distance education
2.	Approval Process	Establishing an approval process for: (a) new distance education programs & (b) existing programs to be delivered via distance education.
3.	Mode of Delivery	Ensuring the appropriateness of delivering training by distance education.
4.	Student-Faculty Interaction	Ensuring maximum interaction between faculty and students.
5.	Faculty Involvement & Support	Maximizing faculty participation in the design & delivery of distance education.
6.	Admissions Standards & Student Recruitment	Ensuring that students have the ability to use technology & benefit from distance education.

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7.	Student Evaluation	Safeguarding the integrity of student testing/evaluation. Ensuring appropriate monitoring of students' satisfactory progress.
8.	Support Services	Providing adequate support services for students receiving instruction by distance education.
9.	Institutional Commitment	Ensuring sufficient resources & commitment to complete the training of students enrolled in distance education.
10.	Financial Protections	Requiring financial guarantee and/or demonstrated financial sufficiency.
11.	Refund Calculations	Ensuring appropriate methods for calculating refunds for distance education (e.g. base refunds on % of completed lessons or assignments).
12.	Program Performance	Ensuring the educational effectiveness of distance education including assessment of student learning outcomes, student retention, student and faculty satisfaction, and cost-effectiveness.

Commission staff is building upon work already undertaken to develop standards for distance education, particularly efforts by NASASPS, a national association of state regulators of private proprietary schools. In the past year, a Distance Education Committee of NASASPS compiled a set of standards for proprietary schools from distance education standards adopted by State licensing agencies and national/regional accrediting commissions. This includes standards promulgated by the Middle States Association of Colleges and Schools and the Maryland Higher Education Commission for degree-granting institutions. The collection provides standards for distance education that address each of the 12 identified "General Issues" identified above. In establishing distance education standards for Maryland private career schools, the goals will be to ensure quality instruction offered through interactive, electronically delivered distance education and adequate protection for students enrolled in distance education.

Commission staff will provide opportunities for all approved private career schools to review and comment on the proposed standards for distance education prior to their consideration by the Education Policy Committee. Draft regulations are scheduled to be presented to the Education Policy Committee at its meeting on May 7, 2003.

RECOMMENDATION: This item is for information only.



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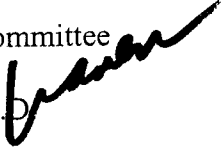
John J. Oliver, Jr.
Chairman

Karen R. Johnson
Secretary of Higher Education

MEMORANDUM

DATE: March 12, 2003

TO: Education Policy Committee

FROM: Karen R. Johnson, J.D.  STAFF: Dr. Michael Keller

SUBJECT: Student Learning Outcomes Assessment Reports

Background

As part of the State's performance accountability process, the public colleges and universities submit a *Student Learning Outcomes Assessment Report* (SLOAR) to the Maryland Higher Education Commission every three years which describes their progress in improving student learning, instructional effectiveness and curriculum. The public campuses last provided the Commission with an update of SLOAR in 2001.

The *Student Learning Outcomes Assessment Reports* have provided a good overview of the processes in which the campuses are engaged in improving student learning. However, only a limited amount of information has been shared in terms of the impact that these efforts are having on undergraduates.

Maryland's situation is reflected elsewhere in the country. *Measuring Up* 2002, the national "report card" on state-level higher education again gave every state a grade of "Incomplete" in the area of student learning, since all states lacked information on the educational performance of college students that would permit systematic state or national comparisons. The "Incomplete" grade highlights a gap in the nation's ability to measure consistently and meaningfully what students learn in college. The assessment of student learning at the collegiate level, in Maryland and nationwide, has lagged behind efforts in elementary and secondary schools.

When the Commission received the 2001 SLOAR, it asked the Secretary of Higher Education to convene an intersegmental workgroup for the purpose of identifying standard ways (within Carnegie classifications) of measuring the progress made in the educational outcomes of students and reporting the information to the Commission.

Current Status, Issues, and Timeline for Completion

The Secretary asked for and received the names of representatives from the public higher education segments to serve on this workgroup. The initial meeting of the workgroup will be held during the month of March, so that guidelines for the next round of student learning

outcomes assessment reports will be developed and disseminated to the public campuses by December 1, 2003. In August 2004, the student learning outcomes assessment reports will be presented to the Commission's Education Policy Committee. These reports will be different from those submitted in previous years in that they will focus on what students are actually learning in college and will provide data from campus assessment activities.

RECOMMENDATION: This item is for information only.

**MARYLAND HIGHER EDUCATION COMMISSION
MEETING DATES 2002-2003**

2002 August	Education Policy	10:00 a.m.	Wednesday – August 7
	Finance Policy	1:30 p.m.	Thursday – August 8
September	Finance Policy	9:00 am - 2:30 p.m.	Thursday – September 19
	Commission Meeting	1:00 p.m.	Wednesday – September 25
October	Education Policy	10:00 a.m.	Wednesday – October 9
	Governor’s Higher Education Conference	8:00 am - 4:00 p.m.	Tuesday – October 15 Stamp Student Union University of Maryland, College Park
	Finance Policy	3:00 p.m.	Thursday – October 30
November	Commission Meeting	1:00 p.m.	Wednesday – November 13
December	Commission Retreat	8:00-5:00	Wednesday – December 11
2003			
January	Education Policy	10:00 a.m.	Wednesday – January 15
February	Commission Meeting	1:00 p.m.	Wednesday – February 19
March	Education Policy	10:00 a.m.	Wednesday – March 12
	Finance Policy	1:30 p.m.	Thursday – March 13
April	Commission Meeting	1:00 p.m.	Wednesday – April 23
May	Education Policy	10:00 a.m.	Wednesday – May 7
	Finance Policy	1:30 p.m.	Thursday – May 8
	Commission Retreat	8:00-5:00	Wednesday – May 21
June	Commission Meeting	1:00 p.m.	Wednesday – June 18

**All Commission, Education Policy, and Finance Policy meetings will be held at:
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